8659152/2024/VIG-VI-PRR01

GOVERNMENT OF ANDHRA PRADESH
ABSTRACT

Public services - Surprise Check conducted by Anti Corruption Bureau on O/o Executive Engineer, RWS&S (P) Division, Vijayawada on the Allegations of corrupt practices & Irregularities on 11.01.2021 - Departmental Proceedings against Sri Koka Nochan Kumar, Junior Assistant, O/o Executive Engineer, RWS&S (P) Division, Vijayawada under the provisions of Rule 20 of AP Civil Services(CCA) Rules, 1991 - Articles of Charge – Issued

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PANCHAYAT RAJ & RURAL DEVELOPMENT (VIG.VI) DEPARTMENT

G.O.Rt.No. 182 **Date : 26/ 02/2024**

Read the following:-

1. Radio Message, dt:12.01.2021 from the Addl.SP , ACB, Vijayawada Range, Krishna Dist.
2. Govt Memo No.1332739/Vig.VI/2021, dt:10.08.2021.
3. From the DG, ACB Rc No. 03/DES-VK1/2021-S9, dt:06.04.2023.

Order :-

It is proposed to hold an inquiry against Sri Koka Nochan Kumar, Junior Assistant, O/o Executive Engineer, RWS&S (P) Division, Vijayawada in accordance with the procedure laid down in Rule 20 of the APCS (CCA) Rules, 1991.

2. The substance of the imputations of misconduct or misbehaviour in respect of which the inquiry is proposed to be held is set out in the enclosed statement of articles of charge (Annexure-I). A statement of the imputations of misconduct or misbehaviour in support of each article of charge is enclosed (Annexure-II). A list of documents by which, and a list of witnesses by whom, the articles of charge are proposed to be sustained are also enclosed (Annexure-III and IV).

3. Sri Koka Nochan Kumar, Junior Assistant, O/o Executive Engineer, RWS&S (P) Division, Vijayawada is directed to submit within 10 days of the receipt of this Memorandum a written statement of his defence.

4. He is informed that an inquiry will be held only in respect of those articles of charge as are not admitted. He should, therefore specifically admit or deny each article of charge.

5. Sri Koka Nochan Kumar, Junior Assistant, O/o Executive Engineer, RWS&S (P) Division, Vijayawada is further informed that if he does not submit his written statement of defence on or before the date specified in para 3 above, or does not appear in person before the inquiring authority or otherwise fails or refuses to comply with the provisions of Rules 20 of the APCS (CCA) Rules, 1991, or the orders/directions issued in pursuance of the said rules, the inquiring authority may hold the inquiry against him exparte, based on the material available on record.

6. Attention of Sri Koka Nochan Kumar, Junior Assistant, O/o Executive Engineer, RWS&S (P) Division, Vijayawada is invited to Rule 24 of the A.P. Civil Services (Conduct) Rules 1964, under which no Government Servant shall being or attempt to bring any political or outside influence to bear upon any superior authority to further his interests in respect of matters

(Contd.P-2)

pertaining to his service under the Government. If any representation is received on his behalf from any person in respect of any matter dealt within these Proceedings, it will be presumed that Sri Koka Nochan Kumar, Junior Assistant, O/o Executive Engineer, RWS&S (P) Division, Vijayawada is aware of such a representation and that it has been made at his instance and action will be taken against him for violation of Rule 24 of the A.P. Civil Services (Conduct) Rules 1964.

7. The receipt of the proceedings shall be acknowledged along with Annexure-I, II, III & IV.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

B RAJSEKHAR
SPECIAL CHIEF SECRETARY TO GOVERNMENT

To
Sri Koka Nochan Kumar, Junior Assistant, O/o Executive Engineer, RWS&S (P) Division, Vijayawada (w.e) through the Engineer-in- Chief, RWS&S, Vijayawada.
The Engineer-in-Chief, Rural Water Supply & Sanitation Department, Vijayawada (with a request to serve the Charged Officer with dated acknowledgement and send the same for record)

Copy to
The PR&RD(Est.II) Dept.
The Director General, Anti Corruption Bureau,, AP., Vijayawada.
The Secretary to Vigilance Commission, APVC, Velagapudi.

// FORWARDED :: BY ORDER //

SECTION OFFICER

(Contd.P-3)

ANNEXURE–I

STATEMENT OF ARTICLES OF CHARGES FRAMED AGAINST SRI KOKA NOCHAN KUMAR, JR.ASSISTANT, O/O EXECUTIVE ENGINEER, RWS&S (P) DIVISION, VIJAYAWADA

That Sri **Koka Nochan Kumar,** Junior Assistant, Accounts Section O/o EE, RWS & S Division, Vijayawada worked on deputation from RWS & S Sub Division, Tiruvuru (hereinafter referred to as Government Servant **(GS)** while functioning as such during the period between 06.06.2009 to 11.01.2021 and also worked as incharge of Superintendent from 22.08.2020 to 11.01.2021 at O/o EE, RWS & S Division, Vijayawada committed grave misconduct in as much as:

CHARGE:-I

That Sri **Koka Nochan Kumar (GS) Sri Koka Nochan Kumar, Jr. Assistant, incharge Supdt.** Not scrutinised the invoices and the entries in the M. Book. And processed the file of the new single village scheme (SVS) at the New SC Housing Colony of K. Tadepalli village of Vijayawada Rural Mandal of M/s Garaptati Constructions for payment of work bills even though the EOAT is pending and also failed to keep the original invoices in his safe custody at his office file. While ACB Surprise check he produced Xerox copies of invoices.

CHARGE:-II

That Sri **Koka Nochan Kumar (GS)** failed to maintain the office records resulting in improper maintenance of office records, and not handing over of the Supdt. charge to Sri P. Rama Krishna by GS.

Thus, the Government Servant Sri Koka Nochan Kumar, the then Jr. Asst. and inchare Superintendent, RWS&S (P) Division, Vijayawada by his above-mentioned acts has exhibited a lack of integrity, devotion to duty, and conduct unbecoming of a Government Servant, showed gross negligence and thereby violated/ contravened the AP Public works Department codes and AP Public Accounts Department codes and violated/ contravened Rule 3 (1), 3 (2) & of A.P. Civil Services (Conduct) Rules, 1964.

B RAJSEKHAR
SPECIAL CHIEF SECRETARY TO GOVERNMENT

SECTION OFFICER

(Contd.P-4)

ANNEXURE–II

STATEMENT OF IMPUTATION OF MISCONDUCT OR MISBEHAVIOR IN SUPPORT OF THE ARTICLES OF CHARGES FRAMED AGAINST SRI KOKA NOCHAN KUMAR, JR.ASSISTANT, RWS&S (P) DIVISION, VIJAYAWADA

That Sri **Koka Nochan Kumar**, Junior Assistant and incharge Superintendent, Accounts Section O/o EE, RWS & S Division, Vijayawada worked on deputation from 06.06.2009 to 11.01.2021 as Jr. Asst. and also worked as incharge of Superintendent from 22.08.2020 to 11.01.2021. His native place is Machilipatnam, Krishna Dist. His date of birth is 16.08.1976. He entered into Government service on 18.04.2001 as Night Watchman and converted as attender on 24.11.2004. He will retire from service on attaining the age of Superannuation on 31.08.2036.

CHARGE:-I

Sri Koka Nochan Kumar, Jr. Assistant, incharge Supdt. Not scuritinsed the invoices and the entries in the M. Book. And processed the file of the new single village scheme (SVS) at the New SC Housing Colony of K. Tadepalli village of Vijayawada Rural Mandal of M/s Garaptati Constructions for payment of work bills even though the EOAT is pending and also failed to keep the original invoices in his safe custody at his office file. While ACB Surprise check he produced Xerox copies of invoices.

FACTS & EVIDENCE:-

On credible information that the officials of the office of the Executive Engineer, Rural Water Supply & Sanitation, Project Division, Vijayawada, are indulging in corrupt practices and not maintaining records properly, a surprise check was conducted on 11-01-2021 from 12.00 hrs, to 23.30 hrs, on the office of Executive Engineer, RWS & S, (P) Division, Vijayawada, by the DSPs, A.C.B., Vijayawada Range, Vijayawada, their staff along with the two official mediators, namely, 1) Sri Kancherla Ambedkar, Assistant Audit Officer and 2) Sri Pulapaka Vijaya Bhaskara Rao, Senior Auditor, O/o the Asst. Audit Officer, State Audit (MPP), Machilipatnam, Krishna District

The following officials were present at the time of the surprise check in the O/o Executive Engineer, RWS & S, Project Division, Vijayawada.

EMPLOYEES:

1. Sri Potharlanka Ramakrishna, Superintendent Establishment & Works.
2. Sri K. Nochan Kumar S/o K. Eeswara Rao, Jr. Assistant, Account Branch.
3. Sri Thokala Raghu, S/o T. Ramalingaiah, 40 Yrs, Office Sub-Ordinate.
4. Smt. Gottiparthi Lakshmi W/o G.Sriramulu, 58 Yrs, Helper.
5. Smt. Kosanam Rajya Lakshmi W/o K.Bose Babu, 37 Yrs, Dispatch Clerk.
6. Sri Buluguri Atchaiah S/o Muttaiah, 58 Yrs, Office Sub-Ordinate.
7. Smt. Kolli Anitha W/o Somasekhara Rao, 57 Yrs, Senior Assistant R/o Vijayawada
8. Sri Yeruva Anil Kumar Reddy S/o Govinda Reddy, 35 YRs, Typist.
9. Sri Arepalli Venkata Naga Saritha, Site Engineer (Contract Basis).
10. Sri Yalagandula Sunith Kumar S/o Venkata Ramana, 31 Yrs, DEO.
11. Kum. Tolapu Bharathi D/o Mahesh, 30 Yrs, DEO.

(Contd.P-5)

12. Smt. Kurapati Ramadevi W/o Ravikumar, 45 Yrs.
13. Sri Vanguru Yakshith S/o Devadas, 23 Yrs, DEO.
14. Smt. Merugu Sravanthi W/o Krishnarao, 42 Yrs, Assistant Executive Engineer.
15. Smt. Kathirisetti Sujatha W/o Satish Babu, 38 Yrs, Assistant Executive Engineer.

In addition to the above staff, it is identified that the below mentioned persons who are also employees of RWS&S are also present. in the office premises and the details of them are as follows;

1. Sri Sole Ravikanth S/o Rajarao, 43 Yrs, Office Sub-Ordinate, RWS&S, SE Circle Office, Vijayawada.
2. Sri Nimmakuri Krishna Kishore S/o late Nagabhushanam, 52 Yrs, Assistant Executive Engineer, RWS&S, Kanchikacherla Mandal
3. Sri Gugulothu Gobriya S/o Rekhaiah, 50 Yrs, Junior Technical Officer, RWS&S, Tiruvuru.

Then the Inspector asked the office superintendent about the Executive Engineer who is the incharge of the office. Then he stated that Sri D.Sainath is the Executive Engineer, Rural Water Supply & Sanitation, Project Division, Vijayawada, he is on Casual Leave on 11.01.2021, 12.01.2021 and permission on 9th, 10th, 13th to 15th January 2021 and he has obtained CL from Engineer-in-Chief, to go to Delhi on his personal work. Then the Inspector asked the office Supdt. about the incharge of EE, then he stated that the Engineer in Chief has allotted as incharge to this office. Then the Inspector asked the office Superintendent Who is the next 2nd-level officer in the office? Then the Superintendent stated that the Manager/Divisional Accounts Officer Sri B.Srinivasa Rao is on ELFP from 01.10.2020 to 30.11.2020 and further he did not return to the office. At present Sri Bellamkonda Srinivasa Vara Prasad, DAO, Panchayat Raj Division, Vijayawada is the incharge DAO to the O/o EE, RWS & S. Then the Inspector requested to make a call to i/c DAO to attend the O/o EE, RWS & S, Project Division, Vijayawada. After a few minutes, the Superintendent who made a call to i/c DAO informed that the i/c DAO is on C.L. for 11.01.2021. The Inspector also enquired about Superintending Engineer and it is learned that Sri D. Sainath, Executive Engineer, RWS & S, Project Division is the in-charge of SE, RWS & S, Circle Vijayawada.

Then the Inspector requested the office Superintendent to produce the personnel cash register and further requested the office staff to produce the cash possessed by them. On that, the Office Superintendent produced the Personnel Cash Register and further, the office staff produced the personal cash voluntarily

The Inspector verified and returned the amount to the employees under proper acknowledgment.

In the meantime, two persons entered into the O/o EE, RWS & S, Project Division, Vijayawada, and when the Inspector asked them, they stated that they are the contractors of RWS & S works. Then the Inspector asked them about their arrival at that time, then they stated that they came to the office to consult the EE, about their pending bills, further, the Inspector requested them to express their opinion over the performance of the employees of the O/o EE, RWS & S, Project Division and recorded **Sri** Garapati Surya Kiran Kumar statement in detail. The following is a detailed statement.

(Contd.P-6)

Sri Garapati Surya Kiran Kumar S/o Dasaradha Ramaiah, 45 Yrs, R/o Vibha Pride Apartments, Gandigunta (V), Vuyyuru Mandal, Krishna District:

On examination, he stated that for about 15 years he is doing contract works for RWS & S, Panchayatraj, Medical & Health Departments etc, He is a Registered Contractor for Class-II and Class-III. During the year 2018, he took one contract work under an agreement value of Rs.28 Lakhs in Kothuru Tadepalli (V), Vijayawada Rural Mandal from RWS & S, Vijayawada. But, the officials of RWS & S officials without any sanction order got executed the work in the year 2017 by one Sri B.Ramanjaneyulu, who is the contractor of Ongole. The officials endorsed the same work to him at the end of the year 2018 by showing the same as another work. Later Sri D. Sainath, EE, RWS & S, sanctioned the amount by changing the nature of work and forced him to pay the same to Sri B.Ramanjaneyulu. During the process of payment for the work done in the year 2017, recorded 6 invoices pertaining to HDPE pipes and got check measurements as well as a super check. Actually, the material was purchased during the time of VAT but they showed the same bills as purchased during SGST time. They entered the invoice bills in the M-Book by mentioning the date and month only with mentioning the year and did not pay the contract bills to him, due to which he incurred a loss of 18% input and further, the officials failed to pay the CGST and SGST, due to which he incurred a loss of Rs. 2 Lakhs. Later the officials issued an experience certificate to him after completion of the work. Further, the officials have to pay the Entrustment of Money Deposit and Further Security Deposit to him, but even though he presented written representation the officials did not pay the amount of about Rs.1,30,000/- to him. When he asked Sri D. Sainath, EE, he threatened him that he will file cases against him.

The Inspector seized the Cash Books 1) 20040108101-SBI Bhaskara Raopeta T.S.C. General O/o Executive Engineer, RWS & S Dept (P) Division, Vijayawada 2) Deposits A/C No. 31643002610 Register,

Then the Inspector asked the office Superintendent, to produce the office job chart and to produce the office records. Then the Superintendent stated that there is no job chart in the office and only office orders were issued to the Accounts branch 1) Sri T.Srinivasa Rao, Senior Assistant, 2) Smt. K. Anitha, Senior Assistant, 3) Sri Nochan Kumar, Junior Assistant and a separate office order was issued to the drawing branch 1) Smt. M.Sravanthi, AEE, 2) Smt. K.Sujatha, AEE, 3) Smt. AVN Saritha, Site Engineer and produced the same before the Inspector. Then the Inspector seized the office orders in the presence of mediators.

When requested Smt. K.Sujatha, AEE, O/o EE, RWS & S (P) Division, about the maintenance of records by her, produced the following estimate files which are being maintained by her;

1. New SVS at New SC Housing Colony of K.Tadepalli (V): On perusal of the file it is having original estimation, working estimates up to 1 to 3, and agreement copies. The work was executed through the tender process through e-procurement tender notice No.35/to/2017-18. Dt.29.11.2017 of the SE, RWS & S Circle, Vijayawada. Out of 5 participants the least quoted M/s Garapati Constructions @ 13.59% less than the ECV was approved and the agreement was concluded vide agreement No. 58/2017-18,

(Contd.P-7)

Dt.22.01.2018 of the SE, RWS & S Circle, Vijayawada with a completion period of 4 months to construct the following item of works with provision for taxes also which were provided in the original estimate;

i) Drilling bore well with the rotary rig, ii) Providing pumping main and distribution, iii) Construction of RCC OHSR of 60 KL capacity, iv) Three phase submersible pump sets, v) Provision towards GST @ 12%, vi) Provision towards NAC @ 0.1%, vii) Provision towards QC Charges @ 0.5 %, viii) Provision towards price variation and seignorage charges and ix) Provision towards the unforeseen item of work.

The total worth of the work is Rs.28 Lakhs. But, during the execution of the above said work totally deviated and executed items were the construction of 70 KL Sump, 110 mm dia HDPE pipe, 6KGF of length, 3930 RM, 90 mm dia HDPE pipe 6 KGF of length, 400 RM.

She further stated that the remaining records pertaining to this work like M-Book, B-forms, and invoices will be available in Account Section. The file containing sheets 722 was seized for further enquiry.6

Then Inspector secured the presence of Sri K. Nochan Kumar and asked him to produce the relevant documents pertaining to the file New SVS at New SC Housing Colony of K.Tadepalli (V) Vijayawada Rural Mandal, which were processed in the Account Section on that he produced a bunch of papers with a tag containing 2 pages of note file with work ID bearing No. 85020601170006, contractor certificate 2 pages one page of 7F materials 1-page of the certificate, 1-page of Seigniorage charges, 1- page of Release and discharge certificate, 2- pages comparative statement which was the deviation of work from the originally estimated work, 6- sheets of Tax Invoice vide Nos. 069, dt. 02-04-2018, 1215 dt. 29-03-2018, 122 dt:30-03-2018, 1225 dt.30-03-2018, 1227 dt. 30-03-2018, 1228 dt.30-03-2018 in favour of Bommineni Ramanjaneyalu. 6- sheets of Tax Invoice vide Nos. 069, dt. 02-04-2018, 1215 dt:29-03-2018, 122 dt:30-03-2018, 1225 dt:30-03-2018, 1227 dt:30-03-2018, 1228 dt.30-03-2018 in favour of Garapati Constructions – total sheets 22 Sheets.

Then Inspector seized the above file for further enquiry in the presence of mediators.

Then the Inspector secured the presence of the following staff and examined them.

During the enquiry, the enquiry officer examined the following witnesses and recorded their statements as follows

1. **Sri Kancherla Ambedkar, S/o K. Bhaskara Rao, 53 years, Assistant Audit Officer, O/o the Asst. Audit Officer, State Audit (MPP), Machilipatnam, Krishna District. (Mediator-I).**

   He speaks about their presence as mediators and the things that happened during the Surprise Check in the O/o RWS & S, Gudivada Division, Krishna Dist, i.e., on 11.01.2021 etc. facts.

2. **Sri Pulapaka Vijaya Bhaskara Rao, S/o Ranga Rao, 54 years, Senior Auditor, O/o the Asst. Audit Officer, State Audit (MPP), Machilipatnam, Krishna District. (Mediator-II).**

(Contd.P-8)

He speaks about their presence as mediators and the things that happened during the Surprise Check in the O/o RWS & S, Gudivada Division, Krishna Dist, i.e., on 11.01.2021, etc. facts.

3. **Statement of Sri D. Venkata Ramana S/o DVS Narayana, age 58 yrs, Superintendent Engineer, RWS & S, Vijayawada Circle.**

He is working as Superintendent Engineer, RWS & S, Krishna Circle since 22.8.2022. as per the request of ACB officials today he attended the office of DSP, ACB, Vijayawada, and stated the following contents regarding to the surprise check proceedings dated 11.01.2021 of ACB, Vijayawada on O/o Executive Engineer, Rural water supply & sanitation, Project Division, Vijayawada.

On perusal of the file, the work of the new single village scheme (SVS) at the New SC Housing Colony of K. Tadepalli village of Vijayawada Rural Mandal is administratively sanctioned vide GO.RT No. 734, Dt. 09.11.2017 of PR & RD RWS-II department, and technically sanctioned vide Cr No. 30/2017-18 dated 28.11.2017.

On perusal of the file, it is having original estimation, working estimates up to 1 to 3, and agreement copies. The work was executed through the Tender process through e-procurement tender notice No.35/to/2017-18. Dt.29.11.2017 of the SE, RWS & S Circle, Vijayawada. Out of 5 participants the least quoted M/s Garapati Constructions @ 13.59% less than the ECV was approved and the agreement was concluded vide agreement No. 58/2017-18, Dt.22.01.2018 of the SE, RWS & S Circle, Vijayawada with a completion period of 4 months to construct the following item of works with provision for taxes also which were provided in the original estimate

i) Drilling bore well with the rotary rig, ii) Providing pumping main and distribution, iii) Construction of RCC OHSR of 60 KL capacity, iv) Three phase submersible pump sets, v) Provision towards GST @ 12%, vi) Provision towards NAC @ 0.1%, vii) Provision towards QC Charges @ 0.5 %, viii) Provision towards price variation and seignorage charges and ix) Provision towards the unforeseen item of work.

On perusing the files pertaining to the New SVS at New SC Housing Colony of K.Tadepalli (V) Vijayawada Rural Mandal, it is containing 2 pages of note file with work ID bearing No. 85020601170006, contractor certificate 2 pages one page of 7F materials 1-page of the certificate, 1-page of Seignior age charges, 1- page of Release and discharge certificate, 2- pages comparative statement which was the deviation of work from the originally estimated work, 6- sheets of Tax Invoice vide Nos. 069, dt. 02-04-2018, 1215 dt. 29-03-2018, 122 dt 30-03-2018, 1225 dt.30-03-2018, 1227 dt. 30-03-2018, 1228 dt. 30-03-2018 in favour of Bommineni Ramanjaneyalu. 6- sheets of Tax Invoice vide Nos. 069, dt. 02-04-2018, 1215 dt. 29-03-2018, 122 dt 30-03-2018, 1225 dt. 30-03-2018, 1227 dt. 30-03-2018, 1228

(Contd.P-9)

dt.30-03-2018 in favour of Garapati Constructions – total sheets 22 Sheets.

The total worth of the work is Rs.28 Lakhs. But, during the execution of the above-said work was totally deviated, and executed items were the construction of 70 KL Sump, 110 mm dia HDPE pipe, 6KG/cm2 of length, 3930 RM, 90 mm dia HDPE pipe 6 KG/cm2 of length, 400 RM.

Originally as an agreement with M/s Garapti Constructions, Vuyyuru of Krishna Dist, the construction of Over Head service reservoir OHSR for the capacity of 60,000 Ltrs at SC Housing colony, K. Thadepalli village, Vijayawada Rural vide No.58/1718 dt. 22.01.2018 of Rs. 22.95 Lakhs, consequently the Executive Engineer, RWS & S, Vijayawada Division and incharge Superintendent Engineer, RWS & S, Vijayawada Division (EE) approved the working estimate duly deleting the OHSR and incorporating the 70,000 Ltrs sump of an estimated cost of 4,85,345/- as per the technical feasibility and conclude the supplementary agreement with M/s Garapti constructions on 16.10.2018. Further, EE entered into another supplementary agreement with M/s Garapti Constructions on 11.10.2018 for pipe lane deviations worth Rs. 1.38 Lakhs.

The Superintending Engineer, RWS & S, Vijayawada circle who is competent for change of deviations with the original estimates provisions was sanctioned earlier.

The work was entrusted on a tender basis and entrusted to M/s Garaptati Constructions, Vuyyuru, and the work is completed as per working estimate -3 duly accepted the deviations by the E.E and **submitted the bill by the DEE** and the same is scrutinized by EE office and made the payments of Gross amount Rs.24,49,978/- on 30.10.2018 vide MB No. 2818B/ RWS/P/VJA/2015-16 page No.7 by EE, Vijayawada Division duly deducting 15% for sanction of EOAT and net payment made Rs. 19,39,448/-. On 02.12.2019, the incharge DE, Vijayawada Sri Nancharaiah submitted the proposals for the release of the withheld amount of Rs. 3,26,385/-, and the EE withhold the amount of Rs. 50,000/- and the balance payment of Rs.2,76,385/- was made to the agency by violating the rules of making payments by the payment authority i.e EE, RWS. While the extension of agreement time (EOAT) is pending the EE is not competent for making the final bill and also failed to stop the release of the withheld amount of Rs. 2,76,385/- to the agency i.e Garapati constructions.

During the payment, the following lapses were observed.

1. On 24.10.2018, even though the AE, drawing branch made remarks that the quality control certificate was not enclosed and the asset handed-over certificate was not enclosed, the EOAT sanction was not accorded.
2. The DAO, BVNSV. Prasad and Jr. Asst K. Nochan Kumar of the accounts branch also failed to regulate the payment procedures

(Contd.P-10)

and released a final net amount of Rs.19,39,448/-without objecting to making payment not as per the procedure.

3. Still, now EOAT is not sanctioned.
4. The quality of pipes is not verified by the DEE Quality control.
5. Overall all the work quality control verification and obtaining the certificates from the DEE, Quality control was not done by Executive Engineer, Vijayawada Division before making the payments.
6. As per procedure, the Extensions Agreement time (EOAT) has to obtain from the competent authority which is already submitted to the Government for approval but not received, without EOAT sanction the final payment to the agency was released by the EE, RWS, Vijayawada.
7. The agreement holder of this work is M/s Garapati Constructions, but xerox copies of invoices available of both Bommineni Ramanjaneyulu and Garapati constructions of the same quantity and date. There is no countersign on the back side of invoices and mentioned relevant certificates. As per the Departmental code, it is mandatory. Originals invoices are not available in the office file. Sri K. Nochan Kumar, Jr. Asst. is responsible for maintaining the vouchers of contract works for audit, etc.
8. The year of the invoices, and date were not mentioned in M Book, only the date and month were mentioned in the M. Book. It is also noticed that the Batch number of the material i.e pipes are not mentioned in the M. Book in any quality control reference number if the pipes are checked by whether DE/ EE. In the note file, it is mentioned by AE, Division office that the quality control certificate is not enclosed. Even though the D.E.E, recommended the bill without quality control verification the bill was submitted to the Division office. Later the EE not observed the nonproducing of the quality control certificate and the final quality certificate which was issued by the DEE, Krishna dist, but the EE released the final payment of Rs. 24,49,978/- dated 30.10.2018 to M/s Garapati Constructions, Vuyyru even though the EOAT sanction order was not submitted with the bill.
9. The GST for the above work was paid to Govt. on 06.11.2018 vide cheque No. 000468 Rs.75,404 including other works GST.

4. Statement of Sri Dhavaleswarapu Rama Linga Prasad S/o Veerabhadraiah, age 57 yrs, Executive Engineer, RWS & S (Projects) Division, Vijayawada.

On examination, he stated that he is working as Executive Engineer, Engineer, RWS & S, Vijayawada Division (Project) since 01.08.2021 and stated the following contents regarding to the surprise check proceedings dated 11.01.2021 of ACB, Vijayawada on O/o Executive Engineer, Rural water supply & sanitation, Project Division, Vijayawada.

On perusal of the file, the work of the new single village scheme (SVS) at the New SC Housing Colony of K. Tadepalli village of Vijayawada Rural Mandal is administratively sanctioned vide GO.RT No. 734, Dt. 09.11.2017 of PR & RD RWS-II department, and technically sanctioned vide Cr No. 30/2017-18 dated 28.11.2017.

(Contd.P-11)

On perusal of the file, it is having original estimation, working estimates up to 1 to 3, and agreement copies. The work was executed through the Tender process through e-procurement tender notice No.35/to/2017-18. Dt.29.11.2017 of the SE, RWS & S Circle, Vijayawada. Out of 5 participants the least quoted M/s Garapati Constructions @ 13.59% less than the ECV was approved and the agreement was concluded vide agreement No. 58/2017-18, Dt.22.01.2018 of the SE, RWS & S Circle, Vijayawada with a completion period of 4 months to construct the following item of works with provision for taxes also which were provided in the original estimate

ii) Drilling bore well with the rotary rig, ii) Providing pumping main and distribution, iii) Construction of RCC OHSR of 60 KL capacity, iv) Three phase submersible pump sets, v) Provision towards GST @ 12%, vi) Provision towards NAC @ 0.1%, vii) Provision towards QC Charges @ 0.5 %, viii) Provision towards price variation and seignorage charges and ix) Provision towards the unforeseen item of work.

On perusing the files pertaining to the New SVS at New SC Housing Colony of K.Tadepalli (V) Vijayawada Rural Mandal, it containing 2 pages of note file with work ID bearing No. 85020601170006, contractor certificate 2 pages one page of 7F materials 1-page of the certificate, 1-page of Seignior age charges, 1- page of Release and discharge certificate, 2- pages comparative statement which was the deviation of work from the originally estimated work, 6- sheets of Tax Invoice vide Nos. 069, dt. 02-04-2018, 1215 dt. 29-03-2018, 122 dt 30-03-2018, 1225 dt.30-03-2018, 1227 dt. 30-03-2018, 1228 dt. 30-03-2018 in favour of Bommineni Ramanjaneyalu. 6- sheets of Tax Invoice vide Nos. 069, dt. 02-04-2018, 1215 dt. 29-03-2018, 122 dt 30-03-2018, 1225 dt. 30-03-2018, 1227 dt. 30-03-2018, 1228 dt.30-03-2018 in favour of Garapati Constructions – total sheets 22 Sheets.

The total worth of the work is Rs.28 Lakhs. But, during the execution of the above-said work was totally deviated, and executed items were the construction of 70 KL Sump, 110 mm dia HDPE pipe, 6KG/cm2 of length, 3930 RM, 90 mm dia HDPE pipe 6 KG/cm2 of length, 400 RM.

Originally as an agreement with M/s Garapti Constructions, Vuyyuru of Krishna Dist, the construction of Over Head service reservoir OHSR for the capacity of 60,000 Ltrs at SC Housing colony, K. Thadepalli village, Vijayawada Rural vide No.58/1718 dt. 22.01.2018 of Rs. 22.95 Lakhs, consequently the Executive Engineer, RWS & S, Vijayawada Division and incharge Superintendent Engineer, RWS & S, Vijayawada Division (EE) approved the working estimate duly deleting the OHSR and incorporating the 70,000 Ltrs sump of an estimated cost of 4,85,345/- as per the technical feasibility and conclude the supplementary agreement with M/s Garapti constructions on 16.10.2018. Further, EE entered into another supplementary agreement with M/s Garapti Constructions on 11.10.2018 for pipe lane deviations worth Rs. 1.38 Lakhs.

(Contd.P-12)

The Superintending Engineer, RWS & S, Vijayawada circle who is competent for change of deviations with the original estimates provisions was sanctioned earlier.

The work was entrusted on a tender basis and entrusted to M/s Garaptati Constructions, Vuyyuru, and the work is completed as per working estimate -3 duly accepted the deviations by the E.E and submitted the bill by the DEE and the same is scrutinized by EE office and made the payments of Gross amount Rs.24,49,978/- on 30.10.2018 vide MB No. 2818B/ RWS/P/VJA/2015-16 page No.7 by EE, Vijayawada Division duly deducting 15% for sanction of EOAT and net payment made Rs. 19,39,448/-. On 02.12.2019, the incharge DE, Vijayawada Sri Nancharaiah submitted the proposals for the release of the withheld amount of Rs. 3,26,385/- , and the EE withhold the amount of Rs. 50,000/- and the balance payment of Rs.2,76,385/- was made to the agency by violating the rules of making payments by the payment authority i.e EE, RWS. While the extension of agreement time (EOAT) is pending the EE is not competent for making the final bill and also failed to stop the release of the withheld amount of Rs. 2,76,385/- to the agency i.e Garapati constructions.

During the payment, the following lapses were observed.

1. On 24.10.2018, even though the AE, drawing branch made remarks that the quality control certificate was not enclosed and the asset handed-over certificate was not enclosed, the EOAT sanction was not accorded.
2. The DAO, BVNSV. Prasad and Jr. Asst K. Nochan Kumar of the accounts branch also failed to regulate the payment procedures and released a final net amount of Rs.19,39,448/-without objecting to making payment not as per the procedure.
3. Still, now EOAT is not sanctioned.
4. The quality of pipes is not verified by the DEE Quality control.
5. Overall all the work quality control verification and obtaining the certificates from the DEE, Quality control was not done by Executive Engineer, Vijayawada Division before making the payments.
6. As per procedure, the Extensions Agreement time (EOAT) has to obtain from the competent authority which is already submitted to the Government for approval but not received, without EOAT sanction the final payment to the agency was released by the EE, RWS, Vijayawada.
7. The agreement holder of this work is M/s Garapati Constructions, but xerox copies of invoices available of both Bommineni Ramanjaneyulu and Garapati constructions of the same quantity and date. There is no countersign on the back side of invoices and mentioned relevant certificates. As per the Departmental code, it is mandatory. Originals invoices are not available in the office file. Sri K. Nochan Kumar, Jr. Asst. is responsible for maintaining the vouchers of contract works for audit, etc.
8. The year of the invoices, and date were not mentioned in M Book, only the date and month were mentioned in the M. Book. It is also noticed that the Batch number of the material i.e pipes

(Contd.P-13)

are not mentioned in the M. Book in any quality control reference number if the pipes are checked by whether DE/ EE. In the note file, it is mentioned by AE, Division office that the quality control certificate is not enclosed. Even though the D.E.E, recommended the bill without quality control verification the bill was submitted to the Division office. Later the EE not observed the nonproducing of the quality control certificate and the final quality certificate which was issued by the DEE, Krishna dist, but the EE released the final payment of Rs. 24,49,978/- dated 30.10.2018 to M/s Garapati Constructions, Vuyyru even though the EOAT sanction order was not submitted with the bill.The GST for the above work was paid to Govt. on 06.11.2018 vide cheque No. 000468 Rs.75,404 including other works GST.

5. Statement of Sri Shaik Hussen Saheb S/o Masthan Saheb, age 53 yrs, Divisional Accounts officer (works) O/o Executive Engineer, Panchayath Raj & Rural Development, Vijayawada Division.

He is working as Divisional Accounts officer, O/o Executive Engineer, Panchayath Raj & Rural Development, Vijayawada Division since 01.07.2022 and FAC to the post of Divisional Accounts officer (DAO-W) Engineer, RWS & S, Vijayawada Division (Project) since 17.08.2022. He further stated the following contents regarding the surprise check dated 11.01.2021 of ACB, Vijayawada on O/o Executive Engineer, Rural water supply & sanitation, Project Division, Vijayawada.

On perusal of the file, the work of the new single village scheme (SVS) at the New SC Housing Colony of K. Tadepalli village of Vijayawada Rural Mandal is administratively sanctioned vide GO.RT No. 734, Dt. 09.11.2017 of PR & RD RWS-II department, and technically sanctioned vide Cr No. 30/2017-18 dated 28.11.2017. It is having original estimation, working estimates up to 1 to 3, and agreement copies. The work was executed through the Tender process through e-procurement tender notice No.35/to/2017-18. Dt.29.11.2017 of the SE, RWS & S Circle, Vijayawada. Out of 5 participants the least quoted M/s Garapati Constructions @ 13.59% less than the ECV was approved and the agreement was concluded vide agreement No. 58/2017-18, Dt.22.01.2018 of the SE, RWS & S Circle, Vijayawada with a completion period of 4 months to construct the following item of works with provision for taxes also which were provided in the original estimate

i)Drilling bore well with the rotary rig, ii) Providing pumping main and distribution, iii) Construction of RCC OHSR of 60 KL capacity, iv) Three phase submersible pump sets, v) Provision towards GST @ 12%, vi) Provision towards NAC @ 0.1%, vii) Provision towards QC Charges @ 0.5 %, viii) Provision towards price variation and seignorage charges and ix) Provision towards the unforeseen item of work.

On perusing the files pertaining to the New SVS at New SC Housing Colony of K.Tadepalli (V) it containing 2 pages of note file with work ID bearing No. 85020601170006, contractor certificate

(Contd.P-14)

2 pages one page of 7F materials 1-page of the certificate, 1-page of Seignior age charges, 1- page of Release and discharge certificate, 2- pages comparative statement which was the deviation of work from the originally estimated work, 6- sheets of Tax Invoice vide Nos. 069, dt. 02-04-2018, 1215 dt. 29-03-2018, 122 dt 30-03-2018, 1225 dt.30-03-2018, 1227 dt. 30-03-2018, 1228 dt. 30-03-2018 in favour of Bommineni Ramanjaneyalu. 6-sheets of Tax Invoice vide Nos. 069, dt. 02-04-2018, 1215 dt. 29-03-2018, 122 dt 30-03-2018, 1225 dt. 30-03-2018, 1227 dt. 30-03-2018, 1228 dt.30-03-2018 in favour of Garapati Constructions – total sheets 22 Sheets.

The total worth of the work is Rs.28 Lakhs. But, during the execution of the above-said work was totally deviated, and executed items were the construction of 70 KL Sump, 110 mm dia HDPE pipe, 6KG/cm2 of length, 3930 RM, 90 mm dia HDPE pipe 6 KG/cm2 of length, 400 RM.

Originally as an agreement with M/s Garapti Constructions, Vuyyuru of Krishna Dist, the construction of Over Head service reservoir OHSR for the capacity of 60,000 Ltrs at SC Housing colony, K. Thadepalli village, Vijayawada Rural vide No.58/1718 dt. 22.01.2018 of Rs. 22.95 Lakhs, consequently the Executive Engineer, RWS & S, Vijayawada Division and incharge Superintendent Engineer, RWS & S, Vijayawada Division (EE) approved the working estimate duly deleting the OHSR and incorporating the 70,000 Ltrs sump of an estimated cost of 4,85,345/- as per the technical feasibility and conclude the supplementary agreement with M/s Garapti constructions on 16.10.2018. Further, EE entered into another supplementary agreement with M/s Garapti Constructions on 11.10.2018 for pipe lane deviations worth Rs. 1.38 Lakhs.

The Superintending Engineer, RWS & S, Vijayawada circle who is competent for change of deviations with the original estimates provisions was sanctioned earlier.

The work was entrusted on a tender basis and entrusted to M/s Garaptati Constructions, Vuyyuru, and the work is completed as per working estimate -3 duly accepted the deviations by the E.E and **submitted the bill by the DEE** and the same is scrutinized by EE office and made the payments of Gross amount Rs.24,49,978/- on 30.10.2018 vide MB No. 2818B/RWS/P/VJA/2015-16 page No.7 by EE, Vijayawada Division duly deducting 15% for sanction of EOAT and net payment made Rs. 19,39,448/-. On 02.12.2019, the incharge DE, Vijayawada Sri Nancharaiah submitted the proposals for the release of the withheld amount of Rs. 3,26,385/-, and the EE withhold the amount of Rs. 50,000/- and the balance payment of Rs.2,76,385/- was made to the agency by violating the rules of making payments by the payment authority i.e EE, RWS. While the extension of agreement time (EOAT) is pending the EE is not competent for making the final bill and also failed to stop the release of the withheld amount of Rs. 2,76,385/- to the agency i.e Garapati constructions.

(Contd.P-15)

During the payment, the following lapses were observed.

1. On 24.10.2018, even though the AE, drawing branch made remarks that the quality control certificate was not enclosed and the asset handed-over certificate was not enclosed, the EOAT sanction was not accorded.
2. The DAO, BVNSV. Prasad and Jr. Asst K. Nochan Kumar of the accounts branch also failed to regulate the payment procedures and released a final net amount of Rs.19,39,448/-without objecting to making payment not as per the procedure.
3. Still, now EOAT is not sanctioned.
4. The quality of pipes is not verified by the DEE Quality control.
5. Overall all the work quality control verification and obtaining the certificates from the DEE, Quality control was not done by Executive Engineer, Vijayawada Division before making the payments.
6. As per procedure, the Extensions Agreement time (EOAT) has to obtain from the competent authority which is already submitted to the Government for approval but not received, without EOAT sanction the final payment to the agency was released by the EE, RWS, Vijayawada.
7. The agreement holder of this work is M/s Garapati Constructions, but xerox copies of invoices available of both Bommineni Ramanjaneyulu and Garapati constructions of the same quantity and date. There is no countersign on the back side of invoices and mentioned relevant certificates. As per the Departmental code, it is mandatory. Originals invoices are not available in the office file. Sri K. Nochan Kumar, Jr. Asst. is responsible for maintaining the vouchers of contract works for audit, etc.
8. The year of the invoices, and date were not mentioned in M Book, only the date and month were mentioned in the M. Book. It is also noticed that the Batch number of the material i.e pipes are not mentioned in the M. Book in any quality control reference number if the pipes are checked by whether DE/ EE. In the note file, it is mentioned by AE, Division office that the quality control certificate is not enclosed. Even though the D.E.E, recommended the bill without quality control verification the bill was submitted to the Division office. Later the EE not observed the nonproducing of the quality control certificate and the final quality certificate which was issued by the DEE, Krishna dist, but the EE released the final payment of Rs. 24,49,978/- dated 30.10.2018 to M/s Garapati Constructions, Vuyyru even though the EOAT sanction order was not submitted with the bill.The GST for the above work was paid to Govt. on 06.11.2018 vide cheque No. 000468 Rs.75,404 including other works GST.

6. Statement of Sri Garapati Surya Kiran Kumar S/o Dasaradha Ramaiah, 45 Yrs, R/o Vibha Pride Apartments, Gandigunta (V), Vuyyuru Mandal, Krishna District:

On examination, he stated that he is a Registered Contractor for Class-II and Class-III, since about 15 years he is doing contract works for RWS & S, Panchayatraj, Medical & Health

(Contd.P-16)

Departments, etc. During the year 2018, he took one contract work under an agreement value of Rs.28 Lakhs in Kothuru Tadepalli (V), Vijayawada Rural Mandal from RWS & S, Vijayawada. But, the officials of RWS & S officials without any sanction order got executed the work in the year 2017 by one Sri B.Ramanjaneyulu, who is the contractor of Ongole. The officials endorsed the same work to him at the end of the year 2018 by showing the same as another work. Later Sri D. Sainath, EE, RWS & S, sanctioned the amount by changing the nature of work and forcing him to pay the same to Sri B.Ramanjaneyulu. During the process of payment for the work done in the year 2017, recorded 6 invoices pertaining to HDPE pipes and got check measurements

as well as a super check. Actually, the material was purchased during the time of VAT but they showed the same bills as purchased during SGST time. They entered the invoice bills in the M-Book by mentioning the date and month only with mentioning the year and did not pay the contract bills to him, due to which he incurred a loss of 18% input further the officials failed to pay the CGST and SGST, due to which he incurred a loss of Rs. 2 Lakhs. Later the officials issued an experience certificate to him after completion of the work. Further, the officials have to pay the Entrustment of Money Deposit and Further Security Deposit to him, but even though he presented written representation the officials did not the amount of about Rs.1,30,000/- to him. When he asked Sri D. Sainath, EE, threatened him that he will file cases against him.

7. Statement of Sri Potharlanka Rama Krishna S/o Koteswara Rao age 43 yrs, office Supdt., O/o EE, RWS & S, Project Division, Vijayawada.

On examination, he stated that he is working as an office Sudpt. In the O/o EE, RWS & S, Project Division, Vijayawada since 16.12.2020. presently Sri D. Sainadh is working as Executive Engineer, RWS & S, Project Division, Vijayawada. While he was present in the office at about 12.30 hrs on 11.01.2021, the ACB officials of Vijayawada are conducting the Surprise Check in their office. ACB officials verified the records relating to "New SVS SC Housing Colony, Kotturu Tadepalli", Vijayawada Rural, and some other official records and seized some records for their enquiry. At present, four Data Entry operators are working in their Division office.

8. Statement of Smt. Kosanam Rajya Lakshmi w/o Kopuri Bosubabu, age 37 yrs, Typist O/o EE, RWS & S, Project Division, Vijayawada.

On examination, she stated that, since 13.01.2020 she has been working as a typist/ Dispatch clerk in the O/o EE, RWS & S, Project Division, Vijayawada. Now she is doing the work of dispatch clerk. today i.e 11.01.2021 at about 12.30 hrs ACB officials of Vijayawada are conducting the Surprise Check in their office while she was present in the office, etc, facts.

(Contd.P-17)

9. Statement of Sri Bommineni Ramanjaneyulu, S/o Venkata Narasimha Rao, A/59 Years, Contractor, Endluru (V), S.N.Padu (M), Prakasam Dist.

On examination, he stated that he is a Special Class contractor Executing the works all over the state in RWS Department and Public Health Department since 1998.

The work New SVS at New SC Housing colony of K.Tadepalli (V) of Vijayawada Rural Mandal of Krishna District was awarded to M/s Garapati Constructions through a Tender basis. The work was not started until about 6 months from the date of the agreement by M/s Garapati Constructions. As per the discussions between him and M/s Garapati Constructions, represented by Sri Garapati Surya Kiran Kumar asked me to execute the above work on back-to-back agreement rates (Department). This is an oral agreement only with mutual understanding between him and Sri Garapati Surya Kiran Kumar. On 30-10-2018 he completed new SVS at the New SC Housing colony of K.Tadepalli (V) of Vijayawada Rural Mandal of Krishna District from M/s Garapati Constructions as Sub-Contract work. During the execution, he executed HDPE pipelines, GI pipelines, two sumps, valve chambers, air valves, and sluice valves. On 02-11-2018 he received the payment of Rs. 19,39,448/- from M/s Garapati Constructions through his HDFC Bank A/c No. 50100226048661 and again received the balance amount of Rs. 2,75,000/- on 29-02-2020 through his Union Bank of India, A/C No.565101000034513. He raised the tax invoice on 03-11-2018 vide invoice No.BR-0010/2018-19 Net amount Rs. 21,29,075/- and CGST @ 6% Rs. 1,27,744.5/- and SGST @ 6% Rs. 1,27,744.5/- total amount after adding tax Rs.23,84,565/- only. He filed the GSTR-1 on 21-12-2018. M/s Garapati Constructions is eligible to claim the tax amount Rs.2,55,489/-. It is a regular process to claim the tax received from the main works and sub-contract works.

During the enquiry, he submitted his Contract Registration Certificate, the tax invoice number BR-0010/2018-19, bank statements of HDFC Bank and Union Bank of India, GST R-1 returns filed by him in the GST portal per November 2018 and 2019, the above documents related to New SVS at new SC Housing colony of K.Tadepalli (V) of Vijayawada Rural Mandal of Krishna District.

10. Statement of Sri Ravi Kiran, Director, Veeraaya Techno Plast Pvt. Ltd, Rs.No. 491/1, Kolamuru, Rajanagaram (M), Rajahmundry, East Godavari Dist.

He is one of the directors of Veeraaya Techno Plast Pvt. Ltd out of six directors since 2010. He is looking after the administration besides the manufacturing works of the company. The company has been manufacturing HDPE Pipes and Fitting of different sizes. The material is being supplied to the Government works and industries. Today on 20.01.2023, ACB officials, Vijayawada came to his office at Rajahmundry and furnished the copies of Tax invoices vide Nos.1215, 1221,1225, 1227, 1228, and

(Contd.P-18)

069 of the year 2018 said to have been issued by Veeraaya Techno Plast Pvt. Ltd. And requested him to verify the invoices for their genuinely. He verified the above invoices and found that they are not tallied and not issued by their company to Bommineni Ramanjaneyulu, Ongole, the site at Jakkampudi, K. Tadepalli, and Garapati Constructions. The authorized signature is also fake including the name and style of the tax invoice. He further stated that their company was issued the following invoices in the year 2018.

S. No	Invoice No	Date	Customer Name	Place	Invoice Amount (Incl. Tax)
1.	1215	9-3-2018	M Venkana Babu	Atchutapuram,	**4400**
2.	1221	9-3-2018	Grampanchayathi	Pallamkurti, AP	**1,10,601**
3.	1225	10-3-2018	ITS Technodue India Pt Ltd.	Nuzividu, AP	**2,36,129**
4.	1227	10-3-2018	Madhu Aqua Forms	Velpuru, AP	**64,617**
5.	1228	10-3-2018	Madhu Aqua Forms	Velpuru, AP	**39,689**
6.	0169	10-5-2018	Sri Harsha Infra, Settipeta	Nidadavole, AP	**5,850**

11. Statement of Sri Siyadri Sai Kumar S/o Narasimha Murthy, 28 yrs, Asst. Executive Engineer, Ragampeta, Rajamahendravaram Circle..

He is now working as Asst. Executive Engineer, Ragampeta, Rajamahendravaram Circle. Previously he worked as Asst. Executive Engineer, Drawing branch, RWS & S Division, Vijayawada from 11.05.208 to 18.07.2019. while he was working in the O/o Executive Engineer, RWS & S Division, the SE, RWS & S, Vijayawada allotted the construction work of "NEW SVS" at SC Housing colony, Kothuru Tadepalli village, Vijayawada Rural to Sri Garapati constructions for Rs. 28 lakhs and entered into an agreement. After completion of the above work, the file came forward to him for payment scrutiny. Then On 24.10.2018, he verified the file and made remarks in the note file as the quality control certificate was not enclosed and the asset handed-over certificate was not enclosed, the EOAT sanction was not accorded and forwarded the file to EE, RWS & S, Vijayawada Division etc., facts.

During the enquiry, **obtained service particulars and Job Charts of the suspect officers, jurisdiction, and tenure of officers** and staff of the RWS & S, Vijayawada Division responsible for the above irregularities and documents related to the enquiry.

Thus the Govt. Servant did **not scrutinize the invoices/quality**

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control certificates in the M. Book and processed the file of the new single village scheme (SVS), SC Housing Colony of **K. Tadepalli village** of Vijayawada Rural Mandal for payment of work bills even though the EOAT is pending and also **failed to keep original invoices in his safe custody at his office file.** During ACB Surprise check he produced Xerox copies of invoices. The Govt. Servant also **failed to stop the release of the withheld amount of Rs.2,76,385/- to the agency i.e Garapati Constructions Even though the AE, drawing branch made remarks that the quality control certificate was not enclosed and the asset handed-over certificate was not enclosed, the EOAT sanction was not obtained.**

CHARGE:-II

That Sri **Koka Nochan Kumar (GS)** failed to maintain the office records resulting in improper maintenance of office records, and not handing over of the Supdt. charge to Sri P. Rama Krishna by GS

FACTS & EVIDENCE:

During the Surprise check, on 11-01-2021, two persons entered into the O/o EE, RWS&S, Project Division, Vijayawada, and when the Inspector asked them, they stated that they are the contractors of RWS&S works. Then the Inspector asked them about their arrival at that time, then they stated that they came to the office to consult the EE, about their pending bills, further, the Inspector requested them to express their opinion over the performance of the employees of the O/o EE, RWS&S, Project Division and recorded the statement of **Sri Movva Subhakar the following is** a detailed statement.

Statement of Sri Movva Subhakar S/o Hemadri Rao, aged 49 Yrs, R/o D.No.6-123/C, near Hanuman Temple, Nidamanuru (V), Vijayawada Rural Mandal:

On examination, he stated that he is doing contract work for RWS&S for about 8 years, and he had a Class-IV contractor license. During the year 2018, he did RWS&S Division Office renovation works on a quotation basis and the officials made payments through cheques to him.

The details of cheques and payments are

1) Cheque No. 656824 of SBI for Rs. 5,32,288/- dt. 09-08-2018
2) Cheque No. 642198 of SBI for Rs. 50,600/- dt. 09-09-2018
3) Cheque No. 566559 of SBI for Rs. 68,700/- dt. 09-09-2018
4) Cheque No. 566557 of SBI for Rs. 45,020/- dt. 10-09-2018

When he requested the officials to give GST, and IT challans they are not giving the same.

The Inspector asked the Jr. Asst. K. Nochan Kumar asked to produce the above 4 vouchers along with Cash Book. The Jr. Asst. produced the above 4 vouchers along with Cash Book. One of the mediators verified the above and found the following lapses.

1) Cheque No. 656824 of SBI for Rs. 5,32,288/- dt:28-07-2018.

(Contd.P-20)

It is observed that the amount was paid towards the purchase of a new system for implementation of e-office/ CFMS etc. vide bill no. VJA1819/12212, dt:28-07-2018, CGST and SGST were paid to the contractor as per the Voucher produced by him. Whereas Income Tax was not deducted from the contractor. An amount of Rs. 5,322/- is to be deducted as Income Tax which is a loss to the Government.

2) Cheque No. 642198 of SBI for Rs. 50,600/- dt:18-08-2018

It is observed that the amount was paid towards the purchase of Birla Care Putti in RWS & S (P) Division, Vijayawada vide voucher 25 dt.18-08-2018, CGST and SGST were not paid due to the implementation of GST TDS from 01-10-2018 Whereas Income Tax was not deducted from the contractor. An amount of Rs. 506/- is to be deducted as Income Tax which is a loss to the Government.

3) Cheque No. 566559 of SBI for Rs. 68,700/- dt:27-08-2018

It is observed that the amount was paid towards the purchase of Labour Charges of Renovation in RWS & S (P), Vijayawada vide Voucher No. 07 of 18-19 dt. 27-08-2018, CGST and SGST were not paid due to the implementation of GST TDS from 01-10-2018 Whereas Income Tax was not deducted from the contractor. An amount of Rs. 687/- is to be deducted as Income Tax which is a loss to the Government.

4) Cheque No. 566557 of SBI for Rs. 45,020/- dt:21-08-2018

It is observed that the amount was paid towards the purchase of Painting materials in RWS & S (P) Division Vijayawada vide Voucher No. 05 of 18-19 dt:21-08-2018, CGST and SGST were not paid due to the implementation of GST TDS from 01-10-2018 Whereas Income Tax was not deducted from the contractor. An amount of Rs.450/- is to be deducted as Income Tax which is a loss to the Government.

The Inspector asked the Office Superintendent to produce the records of the Accounts Branch. Then the Superintendent stated that Sri K.Nochan Kumar did not hand over the charge to him and the Superintendent Charge is at present with Sri K.Nochan Kumar, Junior Assistant.

Then the Inspector requested Sri K.Nochan Kumar, Junior Assistant to produce the records. Then the Inspector randomly verified the **Inspection Reports of S.E, RWS & S, Circle, Vijayawada**. It is found that **in the Inspection Reports of S.E, mentioned about Drawing Branch** that the Executive Engineer, RWS&S(P) Division, Vijayawada has not invited an e-tender for certain works, costing more than 5.00 Lakhs.

Then the Inspector seized the copies of the above inspection reports for further enquiry in the presence of mediators.

During the enquiry, the following witnesses were examined and recorded their statements were as follows.

1. **Sri Kancherla Ambedkar, S/o K. Bhaskara Rao, 53 years, Assistant Audit Officer, O/o the Asst. Audit Officer, State Audit (MPP), Machilipatnam, Krishna District. (Mediator-I).**

(Contd.P-21)

He speaks about their presence as mediators and the things that happened during the Surprise Check in the O/o RWS & S, Gudivada Division, Krishna Dist, i.e., on 11.01.2021 etc. facts.

2. **Sri Pulapaka Vijaya Bhaskara Rao, S/o Ranga Rao, 54 years, Senior Auditor, O/o the Asst. Audit Officer, State Audit (MPP), Machilipatnam, Krishna District. (Mediator-II).**

He speaks about their presence as mediators and the things that happened during the Surprise Check in the O/o RWS & S, Gudivada Division, Krishna Dist, i.e., on 11.01.2021, etc. facts.

3. **Statement of Sri D. Venkata Ramana S/o DVS Narayana, age 58 yrs, Superintendent Engineer, RWS & S, Vijayawada Circle.**

He is working as Superintendent Engineer, RWS & S, Krishna Circle since 22.8.2022. as per the request of ACB officials today he attended the office of DSP, ACB, Vijayawada, and stated the following contents regarding to the surprise check proceedings dated 11.01.2021 of ACB, Vijayawada on O/o Executive Engineer, Rural water supply & sanitation, Project Division, Vijayawada.

On perusal of the records, Irregularities were noticed in the execution of works, scrutiny payments of bills, etc: i) calling of tenders. procedure violated: E.E, RWS & S (P) Division, Vijayawada has not invited E-Tender (E-Procurement Platform) in renovation works of O/o Executive Engineer, RWS & S, Vijayawada Division which is exceeding Rs.5.00 lakhs by violating the existing Rules, which may cause for certain works cost un-due favour to the contractors and corresponding loss to Govt. Exchequer. Sri BVNSV Prasad, Divisional Accounts officer, and Sri D. Sainth, EE, RWS, Smt M. Nageswaramma, and Sri K. Nochan Kumar, Jr. Asst are responsible for these irregularities.

Statutory Recoveries i.e GST Violations regarding EE office Renovation work:

GST: On random verification, it is observed that the amount was paid under labour charges of renovation of office of EE, RWS & S, Vijayawada vide voucher No.07 of 18-19, dt.27.08.2018, CGST and SGST were not paid, and also income tax was not deducted.

Charge not handover to superintendent o/o the E.E RWWS & S (P) Vijayawada: Sri P. Rama Krishna, Superintendent was joined in the office o/o the EE, RWS & S (P) Vijayawada on 16-12-2020, but the charge of the post of superintendent was still not handed over to him by the Sri K.Nochan Kumar, Jr. Assistant, As Such Sri P. Rama Krishna, Superintendent was kept idle without any work entrustment authentically. Sri K.Nochan Kumar, Jr. Asst is internally not handed over the Supdt. Charge to newly joined Supdt. Sri P. Rama Krishna. The Sri BVNSV Prasad, Divisional Accounts officer also failed to supervise office procedures.

4. **Statement of Sri Dhavaleswarapu Rama Linga Prasad S/o Veerabhadraiah, age 57 yrs, Executive Engineer, RWS & S (Projects) Division, Vijayawada.**

(Contd.P-22)

On examination, he stated that he is working as Executive Engineer, Engineer, RWS & S, Vijayawada Division (Project) since 01.08.2021. He stated that the contents regarding the surprise check proceedings dated 11.01.2021 of ACB, Vijayawada on O/o Executive Engineer, Rural water supply & Sanitation, Project Division, Vijayawada. **He further corroborated LW. 3, Sri D.V. Ramana, Superintending Engineer in all the procedural aspects and material aspects.**

5. Statement of Sri Shaik Hussein Saheb S/o Masthan Saheb, age 53 yrs, Divisional Accounts officer (works) O/o Executive Engineer, Panchayath Raj & Rural Development, Vijayawada Division.

He is working as Divisional Accounts Officer, O/o Executive Engineer, Panchayath Raj & Rural Development, Vijayawada Division since 01.07.2022 and FAC to the post of Divisional Accounts Officer (DAO-W) Engineer, RWS & S, Vijayawada Division (Project) since 17.08.2022. I further stated the following contents regarding the surprise check dated 11.01.2021 of ACB, Vijayawada on O/o Executive Engineer, Rural water supply & Sanitation, Project Division, Vijayawada.

He corroborated LW. 3, Sri D.V. Ramana, Superintending Engineer in the following issues in the procedural aspects.

Irregularities noticed in the execution of works, scrutiny payments of bills etc: i) calling of tenders. procedure violated: E.E, RWS & S (P) Division, Vijayawada has not invited E-Tender (E-Procurement Platform) in renovation works of O/o Executive Engineer, RWS & S, Vijayawada Division which exceeding Rs..5.00 lakhs by violating the existing Rules, which may cause for certain works cost un-due favour to the contractors and corresponding loss to Govt. Exchequer. Sri D. Sainth, EE, RWS and BVNSV Prasad, Divisional Accounts officer, Smt. M. Venkateswaramma, and Sri K. Nochan Kumar, Jr. Asst and incharge Supdt. are responsible for these irregularities.

Certain Statutory Recoveries/ Deductions Like I.T, GST, EMD Etc - Violations:

GST: On random verification, it is observed that the amount was paid under labour charges of renovation of the office of EE, RWS & S, Vijayawada vide voucher No.07 of 18-19, dt.27.08.2018, CGST and SGST were not paid, and also income tax was not deducted. Sri D. Sainath, EE, Sri BVNSV. Prasad, Divisional Accounts officer, Smt M. Nageswaramma, Supdt, and K. Nochan Kumar, Jr. Asst. and. are responsible for these irregularities.

Charge not handover to superintendent o/o the E.E RWWS & S (P) Vijayawada: Sri P. Rama Krishna, Superintendent was joined in the office o/o the EE, RWS & S (P) Vijayawada on 16-12-2020, but the charge of the post of superintendent was still not handed over to him by the Sri K.Nochan Kumar, Jr. Assistant, As Such Sri P. Rama Krishna, Superintendent was kept idle without any work entrustment authentically. Sri K.Nochan Kumar, Jr. Asst is internally not handed over the Supdt. Charge to newly joined Supdt. Sri P. Rama Krishna. The Sri BVNSV Prasad, Divisional Accounts officer also failed to supervise office procedures.

6. Statement of Sri Movva Subhakar S/o Hemadri Rao, age 51 yrs,

(Contd.P-22)

Class IV contractor, RWS & S Department, R/o D. No. 6-123/c, Near Hanuman Temple, Nidamanuru village, Vijayawada Rural, NTR Dist.

On examination, he stated that his native place is Machavaram, Vijayawada City. He further stated that he is working as a class IV contractor in RWS & S Department, Vijayawada Circle since the year 2013. His pan No. is AGPM 5241M, GST No.37AGFPM524M174. as per the oral instructions of the then Sri G. Sainadh, the then Executive Engineer (E.E), RWS & S Department, Vijayawada circle, he completed the renovation works i.e Painting, sealing works, Bathroom repairs, ground tiles, electrical works of office of Executive Engineer, RWS & S Department, Vijayawada circle situated at Opp: PWD Grounds, Bandar Road, Vijayawada during July 2018.

The renovation works value is approximately Rs. 9 Lakhs. Thereafter he received the payment through SBI Cheque No. 656824 for Rs. 5,32,288/- dt. 9.8.2018, SBI cheque No. 642198, Rs. 50,600/- dt. 9.9.2018, SBI Cheque No. 566559, Rs. 68,700/- dt. 9.9.2018, SBI Cheque No. 566557, Rs. 45,020/- dt. 10.09.2018, total amount Rs. 6,96,608/-. But the Executive Engineer, RWS & S Department, Vijayawada did not pay the GST amount of 12 % of the total renovation works worth Rs. 6,96,608/- to him for onward paying the same 12% GST to Govt.

In this regard he asked the EE, SE, ENC of RWS & S Dept. for a 12% GST amount through RTI Act., in turn, on 29.01.2021, the Public information officer, O/o EE, RWS & S Dept., Vijayawada Division replied through his letter vide RC No. A4/RTI/2005/2020-21 that the Government gave directions to recover GST 2% on GST, TDS from 01.10.2018 onwards payments, hence they did not recover GST 2% on the payment made to him. If the EE, RWS & S paid GST 12% to him, he would have paid the same to Government.

He asked the Executive Engineer Sainath why the GST is not being given and Executive Engineer., G.Sainath said that he is not able to give the GST amount as he is not recorded the details of the renovation works done.

7. Statement of Sri Potharlanka Rama Krishna S/o Koteswara Rao age 43 yrs, office Supdt., O/o EE, RWS & S, Project Division, Vijayawada.

On examination, he stated that he is working as an office Sudpt. In the O/o EE, RWS & S, Project Division, Vijayawada since 16.12.2020. presently Sri D. Sainadh is working as Executive Engineer, RWS & S, Project Division, Vijayawada. While he was present in the office at about 12.30 hrs on 11.01.2021, the ACB officials of Vijayawada are conducting the Surprise Check in their office. ACB officials verified the records and seized some records for their enquiry. At present, four Data Entry operators are working in their Division office.

During the enquiry, obtained service particulars and Job Charts of the suspect officers, jurisdiction, and tenure of officers and staff of the RWS & S, Vijayawada Division responsible for the above irregularities and documents related to the enquiry.

(Contd.P-24)

8. Statement of Smt. Kosanam Rajya Lakshmi w/o Kopuri Bosubabu, age 37 yrs, Typist O/o EE, RWS & S, Project Division, Vijayawada.

On examination, she stated that since 13.01.2020 she has been working as a typist/ Dispatch clerk in the O/o EE, RWS & S, Project Division, Vijayawada, and she was selected on compensative grounds. Now she is doing the work of dispatch clerk, today i.e 11.01.2021 at about 12.30 hrs ACB officials of Vijayawada are conducting the Surprise Check in their office while she was present in the office, etc, facts.

Sri P. Rama Krishna, Superintendent was joined in the office o/o the EE, RWS & S (P) Vijayawada on 16-12-2020 on his transfer, but the **charge of the post of superintendent was not handed over** to him till 11.01.2021 by the Govt. Servant Sri K.Nochan Kumar.

During the enquiry, **obtained service particulars and Job Charts of the suspect officers, jurisdiction, and tenure of officers** and staff of the RWS & S, Vijayawada Division responsible for the above irregularities and documents related to the enquiry.

Thus the Govt. Servant **not scrutinized the bills/ vouchers while making payments for the work of renovation of O/o Executive Engineer**, RWS & S, Vijayawada Division **which is exceeding Rs.5.00 lakhs work** (it may be invited through E-Procurement Platform) and violated the existing Rules, which may cause for un-due favour to the contractors and corresponding loss to Govt. Exchequer. **(GS)** is responsible for preparing the bills and cheques in these renovation works. It is observed that the amount was paid under labor charges vide voucher No.07 of 18-19, dt.27.08.2018, CGST and SGST were not paid, and also **income tax was not deducted. And not handing over the Supdt. charge to Sri P. Rama Krishna** till 11.01.2021 even he was joined in the office o/o the EE, RWS & S (P) Vijayawada on 16-12-2020.

The Government Servant Sri Koka Nochan Kumar, Jr. Asst. and incharge Supdt. by his above-mentioned acts has exhibited lack of integrity, devotion to duty and conduct unbecoming of a Government Servant, showed gross negligence. Hence placing him on his defence before the Commissioner of Inquiries for violation/ contravened Rule 3 (1), 3 (2) of APCS (Conduct) Rules, 1964 and for violation/ contravened the AP Public works Department codes and AP Public Accounts Department codes.

The Government Servant has therefore rendered himself liable for regular departmental action for major penalty.

B RAJSEKHAR
SPECIAL CHIEF SECRETARY TO GOVERNMENT

SECTION OFFICER

(Contd.P-25)

ANNEXURE-III

LIST OF DOCUMENTS BY WHICH THE ARTICLES OF CHARGES AGAINST SRI SRI KOKA NOCHAN KUMAR, JR.ASSISTANT, RWS&S (P) DIVISION, VIJAYAWADA

The following documentary evidence is available on record.

1.	**Surprise Check Proceedings** conducted on **11.01.2021** at O/o Executive Engineer, RWS & S, Vijayawada Division.	It was drafted by the independent official mediators and shows the facts that were taken place during the Surprise Check and seizure of registers and documents at the O/o Executive Engineer, RWS & S, Gudivada Division.
2.	Staff Movement Register:	On perusal of the Register, it is being maintained only from 01-09-2020 prior to that not maintained by the Establishment section Kumar Jr. Asst
3.	Administrative Sanction Registers:	not updated for the years 2018-2019 and 2019-2020 by Merugu Sravanthi, Asst. Executive Engineer, Drawing Branch, O/o EE, RWS, Vijayawada Division.
4.	Measurement Book No. 102A/RWS/P/VJA/2018-2019 of O/o Executive Engineer, RWS & S (P) Division, Vijayawada	It reveals that Sri D. Sainath, EE RWS &S (P) Division, Vijayawada has made payment for 5 data entry operators as against the permission accorded for 2 data entry operators to the Division office vide Proceedings No. RWS-budget/2012, DT.21.05.2012 of Engineer In Chief, RWS & S.
5.	Letter pertaining to Charge not handover to superintendent o/o the E.E RWWS & S (P) Vijayawada:	Sri P. Rama Krishna, Superintendent was joined in the office o/o the EE, RWS & S (P) Vijayawada on 16-12-2020. but the charge of the post of superintendent was still not handed over to him by the Sri K.Nochan Kumar, Jr. Assistant, As Such Sri P. Rama Krishna, Superintendent was kept idle without any work entrustment authentically. Sri K.Nochan Kumar, Jr. Asst is internally not handed over the Supdt. Charge to newly joined Supdt. Sri P. Rama Krishna. The Sri BVNSV Prasad, Divisional Accounts officer also failed to supervise office procedures.
6.	**File** relating **to "New SVS at New SC Housing Colony of K.Tadepalli (V)",** Vijayawada Rural. it is having original estimation, working estimates up to 1 to 3, agreement copies, M-Book,	➢ It reveals that On 24.10.2018, Even though the AE, drawing branch made remarks that the quality control certificate was not enclosed and the asset handed over certificate was not enclosed, the EOAT sanction was not

	B-forms, and invoices will be available (The file containing sheets 722)	enclosed.
7.	Bunch of papers with a tag containing 2 pages of note file with work ID bearing No. 85020601170006, contractor certificate 2 pages one page of 7F materials 1-page of the certificate, 1-page of Seigniorage charges, 1- page of Release and discharge certificate, 2- pages comparative statement which was the deviation of work from the originally estimated work, 6- sheets of Tax Invoice vide Nos. 069, dt. 02-04-2018, 1215 dt. 29-03-2018, 122 dt 30-03-2018, 1225 dt.30-03-2018, 1227 dt. 30-03-2018, 1228 dt. 30-03-2018 in favour of Bommineni Ramanjaneyalu. 6- sheets of Tax Invoice vide Nos. 069, dt. 02-04-2018, 1215 dt. 29-03-2018, 122 dt 30-03-2018, 1225 dt. 30-03-2018, 1227 dt. 30-03-2018, 1228 dt.30-03-2018 in favour of Garapati Constructions – total sheets 22 Sheets.	➢ **The DAO, BVNS Prasad, and Jr. Asst K. Nochan Kumar of the accounts branch also failed to regulate the payment procedures and released a final net amount of Rs.19,39,448/-** ➢ Still, now EOAT is not sanctioned. ➢ The quality of pipes is not verified by the DE Quality control. ➢ Overall all the work quality control verification and obtaining the certificates from the DE,Quality control was not done by EE before making the payments. ➢ As per procedure, the Extensions Agreement time (EOAT) was not obtained from the competent authority which is already submitted to the Government for approval but not received and made the final payment to the agency without EOAT sanction. ➢ The agreement holder of this work is M/s Garapati Constructions, but xerox copies of invoices available of both Bommineni Ramanjaneyulu and Garapati constructions of the same quantity and date. There is no countersign on the back side of invoices. As per the Departmental code is mandatory. Originals invoices are not available in the office file. Sri K. Nochan Kumar, Jr. Asst. is responsible for maintaining the vouchers of contract works for audit, etc. ➢ The year of the invoices, and date were not mentioned in M Book, only the date and month were mentioned in the M. Book. It is also noticed that the Batch number of the material i.e pipes are not mentioned in the M. Book in any quality control reference number if the pipes are cheeked by whether DE/ ED. In the note file, it is mentioned by AE, Division office that the quality control certificate is

		not enclosed. Even though the DE, ARVLR Swamy recommended the bill without quality control verification the bill was submitted to the Division office. Later the EE was not observed the nonproducing of the quality control certificate and EOAT sanction order which was given by the Govt. and the final quality certificate of the work which was issued to QC, DE, Krishna dist, and released the final payment of Rs. 24,49,978/- dated 30.10.2018 to M/s Garapati Constructions, Vuyyru.
8.	➢ Measurement Book No. 2813B/RWS/P/VJA/2015-2016, ➢ Measurement Book No. 2817B/RWS/P/ VJA/2015-2016, ➢ Measurement Book No. 2818 B/RWS/P/ VJA/2015-2016 of O/o Executive Engineer, RWS & S (P) Division, Vijayawada which were issued Sri E. Nancharaiah, AEE, RWS, Vijayawada Rural.	On perusal of these three books, it is revealed that the details of the invoice, work details, and payments details of "New SVS at New SC Housing Colony of K.Tadepalli (V), e-procurement tender notice No.35/to/2017-18. Dt. 29.11. 2017 of the SE, RWS & S Circle, Vijayawada were mentioned in these books by AEE, Sri E. Nancharaiah, and DEE Sri Swamy. Even though did not verify the invoices and their material and batch numbers of the materials.
9.	Proceeding vide Memo No. A1/ 786/ 5% NRDWP/ 2018 Dt. 10.05.2018 of Superintending Engineer, RWS & S, Vijayawada Circle. And two original note files regarding agreements with SRR Constructions and Sri G.Seshukumar, contractor, Nandigama and original LR. RC.No. T2 Data Entry operators/2019 dt. 16.02.2019 Inspection reports of SE, RWS & S, Circle, Vijayawada for the years 2018-19 & 2019-20 and file relating to payment for 5-Data Entry Operators.	On perusal of the inspection reports of 2018-19, and 2019-20, the then SE, RWS & S Circle, Vijayawada in his observation mentioned that the E.E, RWS & S (P) Division, Vijayawada has **made payment for 5-Data Entry Operators as against the permission accorded for 2-Data Entry Operators to the Division Office**. As per Proceeding No. RWS-Budget/2012, Dt.21.05.2012 of the SO & Engineer in Chief, RWS & S, Hyderabad has accorded permission for 2 Nos. of data entry operators only to the division office. But during the surprise check it is observed that as on date 4-Data entry operators (1) K.Ramadevi, 2), T.Bharathi, 3) Y.Snith Kumar, and 4) V.Yakshith are still working in the O/o EE, RWS & S, Project Division as Data Entry Operators.
10.	Attested copy of Memo No. 68/ FI (2) /2006-1 dt. 10.01.2006 of Finance (works & projects) Department, Govt. of AP	It reveals that an **extension of time may not exist as of** the date of payments. (EOAT). (Did not pay the final payment to the contractors while EOAT is pending.)
11.	Cir. Memo No. AE2/DEE1/ 1966/Inspections/2018 dt. 19.11.2020 of O/o Chief	It reveals that a final quality control check is compulsory on every work in RWS S Dept.

<table>
<tr><td></td><td>Engineer, RWS & S, V & QC, Gollapudi, Vijayawada and GO RT NO. 1562 Dt. 5.10.2013 of PR & R (RWS.II.A) Dept.</td><td></td></tr>
<tr><td>12.</td><td>Attested copy of GO MS No. 61 dt. 01.04.2014 of PR & R (PROGS.IA) Dept.</td><td>It reveals that above Rs. 5 lakhs contract works will be allotted through e-procurement or tender basis only</td></tr>
<tr><td>13.</td><td>Lr.No. A1/ ACB/Service Particulars /2020 dt 25.01.2021 of S.E, RWS & S Circle, Vijayawada

and Lr. Rc.No. A1/SE/RWS & S/2022 Dt. 18.01.2023 of SE, RWS & S Circle, Vijayawada</td><td>It disclosed the Job chart of the officials/SOs of SE and the O/o EE, RWS & S Division Gudivada</td></tr>
<tr><td>14.</td><td>Letter of Veeraaya Techno Plast Pvt. Ltd, Kolamuru, Rajamundry, East Godavari Dist.</td><td>It reveals that Tax invoices vide Nos.1215, 1221,1225, 1227, 1228, and 069 of the year 2018 not issued by Veeraaya company to Bommineni Ramanjaneyulu, Ongole, the site at Jakkampudi, K. Tadepalli, and Garapati Constructions, issued to the following.
<table>
<tr><td>Invoice No</td><td>Date</td><td>Customer Name</td></tr>
<tr><td>1215</td><td>9-3-2018</td><td>M Venkana Babu</td></tr>
<tr><td>1221</td><td>9-3-2018</td><td>Grampanchayath</td></tr>
<tr><td>1225</td><td>10-3-2018</td><td>ITS Technodue India Pt Ltd.</td></tr>
<tr><td>1227</td><td>10-3-2018</td><td>Madhu Aqua Forms</td></tr>
<tr><td>1228</td><td>10-3-2018</td><td>Madhu Aqua Forms</td></tr>
<tr><td>0169</td><td>10-5-2018</td><td>Sri Harsha Infra Settipeta</td></tr>
</table></td></tr>
<tr><td>15.</td><td>Rule III -7 under Article- 125 of AP Financial Code Volume-I R/w G.O.Ms. No. 258, Dt.20.09.2013 of Finance (TFR) Department, Govt. of AP,</td><td>mandates materials/stores costing more than Rs.1,00,000 shall be procured through the e-procurement platform only,</td></tr>
<tr><td>16.</td><td>Attested copy of Reply submitted to SE, RWS, Vijayawada circle by Sri K. Nochan Kumar, Jr. Asst. RWS S, Vijayawada Division dt. 10.01.2023</td><td>It reveals that SO-1 Sri. D. Sainadh, EE, RWS, Vijayawada took away the office renovation file from his custody after ACB Check and was not handed over to him till 31.01.2021.</td></tr>
<tr><td>17.</td><td>Signed Statement of Sri D.Venkata Ramana S/o DVS Narayana, age 58 yrs, Superintendent Engineer, RWS & S, Vijayawada Circle,</td><td>It discloses about Surprise Check conducted by ACB officials on 11.01.2021 and the other things that happened in O/o EE, RWS Division Vijayawada, Explains who is responsible for which records in the office and</td></tr>
</table>

		lapses in the sadi office records and discloses the violations in "New SVS at New SC Housing Colony of K.Tadepalli (V)", Vijayawada Rural and the annual inspections etc., facts.
18.	Signed Statement of Sri Dhavaleswarapu Rama Linga Prasad S/o Veerabhadraiah, age 57 yrs, Executive Engineer, RWS & S (Projects) Division, Vijayawada, R/o Rythupeta, Nandigama, NTR Dist. Cell No. 9440147970.	**It discloses about Surprise Check conducted by ACB officials on 11.01.2021 and the other things that happened in O/o EE, RWS Division Vijayawada, Explains who is responsible for which records in the office and lapses in the said office records and discloses the violations in "New SVS at New SC Housing Colony of K.Tadepalli (V)", Vijayawada Rural and the annual inspections etc., facts.**
19.	Signed Statement of Sri Shaik Hussein Saheb S/o Masthan Saheb, age 53 yrs, Divisional Accounts officer (works) O/o Executive Engineer, Panchayath Raj & Rural Development, Vijayawada Division	**It discloses about Surprise Check conducted by ACB officials on 11.01.2021 and the other things that happened in O/o EE, RWS Division Vijayawada, Explains who is responsible for which records in the office and lapses in the sadi office records and discloses the violations in "New SVS at New SC Housing Colony of K.Tadepalli (V)", Vijayawada Rural and the annual inspections etc. facts**
20.	Signed Statement of Sri Movva Subhakar S/o Hemadri Rao, age 51 yrs, Class IV contractor, RWS & S Department, R/o D. No. 6-123/c, Near Hanuman Temple, Nidamanuru village, Vijayawada Rural, NTR Dist. Cell No. 9848632757.	➢ He is working as a class IV contractor in RWS & S Dept, Vijayawada Circle since the year 2013. he received the payment through SBI Cheque No. 656824 for Rs. 5,32,288/- dt. 9.8.2018, SBI cheque No. 642198, Rs. 50,600/- dt. 9.9.2018, SBI Cheque No. 566559, Rs. 68,700/- dt. 9.9.2018, SBI Cheque No. 566557, Rs. 45,020/- dt. 10.09.2018, total amount Rs. 6,96,608/-.for **Renovation work of** ➢ **O/o RWS & S Division office, Vijayawada** on nomination basis. But the E.E. did not pay the GST amount of 12 % of the total renovation works worth Rs. 6,96,608/- to him for onward paying the same 12% GST to Govt.
21.	Signed Statement of Sri Garapati Surya Kiran Kumar S/o Dasaradha Ramaiah, 45 Yrs,R/o Vibha Pride Apartments, Gandigunta (V),	➢ During the year 2018, he took one contract work under an agreement value of Rs.28 Lakhs in Kothuru Tadepalli (V), from RWS & S, Vijayawada. During the process of

	Vuyyuru Mandal, Krishna District:	payment for the work done in the year 2017, recorded 6 invoices pertaining to HDPE pipes and got check measurements as well as a super check. Actually, the material was purchased during the time of VAT but they showed the same bills as purchased during SGST time. They entered the invoice bills in the M-Book by mentioning the date and month only with mentioning the year and did not pay the contract bills to him, due to which he incurred a loss of 18% input further the officials failed to pay the CGST and SGST, due to which he incurred a loss of Rs. 2 Lakhs.
22.	Signed Statement of Sri Potharlanka Rama Krishna S/o Koteswara Rao age 43 yrs, office Supdt., O/o EE, RWS & S, Project Division, Vijayawada. R/o D.No.67-46/1, TF1, Nalluri vari Street, Near NSM Public, School, Patamata, Vijayawada.	**It discloses about Surprise Check conducted by ACB officials on 11.01.2021 and the other things that happened in O/o EE, RWS Division, Vijayawada etc. facts**
23.	Signed Statement of Smt. Kosanam Rajya Lakshmi w/o Kopuri Bosubabu, age 37 yrs, Typist O/o EE, RWS & S, Project Division, Vijayawada, R/o D.No. 6-57, Moturu Road, Chowtapalli post, Gudivada (M), Krishna Dist. Cell No. 9908318447	**It discloses about Surprise Check conducted by ACB officials on 11.01.2021 and the other things that happened in O/o EE, RWS Division, Vijayawada, etc. facts**
24.	Signed Statement of Sri Bommineni Ramanjaneyulu, S/o Venkata Narasimha Rao, A/59 Years, Contractor, Endluru Village, S.N.Padu Mandal, Prakasam District, Cell No.9949777315.	On 30-10-2018 he completed new SVS at the New SC Housing colony of K.Tadepalli (V) of Vijayawada Rural Mandal of Krishna District as Sub-Contracter of M/s Garapati Constructions. **He executed HDPE pipelines, GI pipelines, two sumps, valve chambers, air valves, and sluice valves**. On 02-11-2018, he received the payment of Rs.19,39,448/- from M/s Garapati Constructions through my HDFC Bank A/c No. 5010022 6048661 and again received the balance amount of Rs.
		2,75,000/- on 29-02-2020 through my Union Bank of India, A/C No.565101000034513. He raised the tax invoice on 03-11-2018 vide invoice No.BR-0010/2018-19 Net amount Rs. 21,29,075/- and CGST @ 6% Rs. 1,27,744.5/- and SGST @

		6% Rs. 1,27,744.5/- total amount after adding tax Rs.23,84,565/- only.
25.	Signed Statement of Sri Ravi Kiran, Director, Veeraaya Techno Plast Pvt. Ltd, Rs.No. 491/1, Kolamuru, Rajanagaram (M), Rajahmundry, East Godavari Dist.	He verified the copies of Tax invoices vide Nos.1215, 1221,1225, 1227, 1228, and 0169 of the year 2018 said to have been issued by Veeraaya Techno Plast Pvt. Ltd. and found that they are not issued to Sri Bommineni Ramanjaneyulu, Ongole, the site at Jakkampudi, K. Tadepalli and Garapati Constructions. **The authorized signature is also fake including the name and style of the tax invoice**. their company was not issued the above invoices in the year 2018 and the above Numbers of invoices were issued to another five firms.
26.	Signed Statement of Sri Siyadri Sai Kumar S/o Narasimha Murthy, 28 yrs, Asst. Executive Engineer, Ragampeta, Rajamahendravaram Circle. R/o D.No. 19-2-1/308, Kambala cheruvu, Rajahmundry. Cell No. 9491110030.	the SE, RWS & S, Vijayawada allotted the construction work of "NEW SVS" at SC Housing colony, Kothuru Tadepalli village, Vijayawada Rural to Sri Garapati constructions for Rs. 28 lakhs and entered into an agreement. After completion of the above work, the file came forward to him for payment scrutiny. Then On 24.10.2018, he verified the file and made remarks in the note file as the quality control certificate was not enclosed and the asset handed-over certificate was not enclosed, the EOAT sanction was not accorded, and forwarded the file to EE, RWS & S, Vijayawada Division etc., facts.
27.	Signed statement of Sri Ede Nancharayya S/o Veeraiah, age 55 yrs, Asst. Executive Engineer, RWS & S, Vijayawada Rural, Vijayawada Division,	It revealed that after completion of the work, he forwarded work bills of New SVS at Kothhuru Tadepalli village, Vijayawada Rural to the Division office along with **original invoices which were submitted by M/s Garapati constructions for payment through Divisional Engineer. After verifying the invoices and bill submitted by him,** the Division office paid Rs. 24 lakhs to the contractor i.e M/s Garapati constructions. He did not submit invoices that were issued infavour of Sri
		Bommineni Ramanjaneyulu to the Division office.
28.	Signed statement of Sri Koka Nochan Kumar S/o Eswara Rao, age 41 yrs, Jr.Asst. RWS & S, Vijayawada Division,	It revealed that he received the work bills and original invoices which were submitted by M/s Garapati constructions for payment through the Divisional Engineer for the work of New SVS at Kothhuru Tadepalli village, Vijayawada Rural through

		AEE and DEE, verified and audited and sent to Divisional Accounts officer for approval. After approval of DAO, EE also approved the bill, and payments of Rs.28 lakhs were given to M/s Garapati constructions. He presented the above work note file before the ACB officials on the date of the surprise check and identified that there are 6 xerox copies of invoices are existed in favor of M/s Garapati constructions and another 6 invoices existed in fovor of Sri Bommineni Ramanjaneyulu with same invoice numbers and dates and same materials and costs.
29.	Letter of Executive Engineer, RWS & S (P) Division, Vijayawada addressed a letter to The District Collector, Chairman & Managing Trustee, Vijayawada vide Letter No. Lr.No.A4/RWS & S/DMFT/2021, dt. 15-02-2021.	i) It reveals that the Executive Engineer, RWS & S (P), Division, Vijayawada requested the District Collector, Charman & Managing Trustee, Vijayawada vide Letter No. Lr.No.A4/RWS & S/DMFT/2021, dt. 15-02-2021. duly submitted the three work bills which are under DMFT (District Mineral foundation Trust) grant namely 1. Providing RO plant at Gopalapuram of A.Konduru Mandal, 2. Providing RO Plant at Kummarikuntla of A. Konduru Mandal, 3. Providing RO plant at NTR colony in Kachavaram Village of Ibrahimpatnam Mandal.

any documents found to be relevant will be furnished during the enquiry.

B RAJSEKHAR
SPECIAL CHIEF SECRETARY TO GOVERNMENT

SECTION OFFICER

8659152/2024/VIG-VI-PRR01

ANNEXURE-IV

LIST OF WITNESSES BY WHICH THE ARTICLES OF CHARGES AGAINST SRI SRI KOKA NOCHAN KUMAR, JR.ASSISTANT, RWS&S (P) DIVISION, VIJAYAWADA

S No	Name and address of the witness	Gist of the statement
1.	Sri Kancherla Ambedkar, S/o K. Bhaskara Rao, 53 years, Assistant Audit Officer, O/o the Asst. Audit Officer, State Audit (MPP), Machilipatnam, Krishna District R/o F-6, Sangeeta Apartment, Near Babu Textiles, Gayatrinagar, Vijayawada- Cell No. 9959587067, (Mediator-I).	They speaks about their presence as mediators and the things that happened during the Surprise Check in the O/o RWS & S, Gudivada Division, Krishna Dist, i.e., on 11.01.2021 etc. facts.
2.	Sri Pulapaka Vijaya Bhaskara Rao, S/o Ranga Rao, 54 years, Senior Auditor, O/o the Asst. Audit Officer, State Audit (MPP), Machilipatnam, Krishna District R/o D.No.11-154, behind TIME Hospital, Kanuru, Penmaluru Mandal, Vijayawada Cell No. 9440105325 (Mediator-II).	
3.	Sri D.Venkata Ramana S/o DVS Narayana, age 58 yrs, Superintendent Engineer, RWS & S, Vijayawada Circle, R/o Flat No.404-1, Jyothi Apartment, Ashramam street, opp: Akasavani, Labbipeta, Vijayawada Cell No. 9347843567. N/o Thammaiahpeta, Jalumuru (M), Srikakulam Dist.	**He speaks facts about the violations / irregularities in the work of "New SVS SC Housing Colony, Kotturu Tadepalli", Vijayawada Rural and in the renovation works of O/o EE, RWS & S Division, Vijayawada and irregularities in the office records in the O/o EE, RWS Division Vijayawada etc. facts**
4.	Sri Dhavaleswarapu Rama Linga Prasad S/o Veerabhadraiah, age 57 yrs, Executive Engineer, RWS & S (Projects) Division, Vijayawada, R/o Rythupeta, Nandigama, NTR Dist. Cell No. 9440147970.	He corroborates LW. 3, Sri D.V. Ramana, Superintending Engineer in all the procedural aspects and material aspects
5.	Sri Shaik Hussen Saheb S/o Masthan Saheb, age 53 yrs, Divisional Accounts officer (works) O/o Executive Engineer, Panchayath Raj & Rural Development, Vijayawada Division R/o Flat.	He corroborates LW. 3, Sri D.V. Ramana, Superintending Engineer in all the procedural aspects and material aspects
	No. 404, Teja Grand Apartment, Housing Board Extension, Gunturu N/o Timmasamudram, Prakasam Dist. Cell No. 9948345990	

6.	Sri Movva Subhakar S/o Hemadri Rao, age 51 yrs, Class IV contractor, RWS & S Department, R/o D. No. 6-123/c, Near Hanuman Temple, Nidamanuru village, Vijayawada Rural, NTR Dist. Cell No. 9848632757.	He completed the renovation works of the office of the Executive Engineer, but nonpayment of GST amount of 12 % of the total renovation works worth Rs. 6,96,608/- to him for onward paying the same 12% GST to Govt., about not depositing the EMD amount of Rs. 10,700/- in the official account, he transferred the hand loan of Rs. 10 Lakhs to Govt. Servant which is received from the Contractor Ramanjaneyulu, Ongole.
7.	Sri Potharlanka Rama Krishna S/o Koteswara Rao age 43 yrs, office Supdt., O/o EE, RWS & S, Project Division, Vijayawada. R/o D.No.67-46/1, TF1, Nalluri Vari Street, Near NSM Public, School, Patamata, Vijayawada.	He was present in the O/o EE on 11.01.2021, while Surprise Check along with their office staff Sri K.Nochan Kumar, Jr. Asst., Sri BVNSV Prasad, DAOr, Sri E. Nancharayya, AEE, Smt. M. Sravanthi, AEE, Smt K. Rajya Lakshmi, Typist, Smt. K. Anitha, Sr. Asst., AVN Saritha, Site Engineer, Sri Y. suneeth Kumar, DEO, Smt. T. Bharathi, DEO, Smt. K.Ramadevi, DEO, Sri Vanguru Yaswith and speak about the verification of records by ACB officials relating to "New SVS SC Housing Colony, Kotturu Tadepalli", Vijayawada Rural, and some other official records and seizure of some records for their enquiry.
8.	Smt. Kosanam Rajya Lakshmi w/o Kopuri Bosubabu, age 37 yrs, Typist O/o EE, RWS & S, Project Division, Vijayawada, R/o D.No. 6-57, Moturu Road, Chowtapalli post, Gudivada (M), Krishna Dist. Cell No. 9908318447	She corroborates LW.10 Sri Potharlanka Rama Krishna
9.	Sri K. Happy Krupavandanam, Inspector-I, ACB, Vijayawada Range, Vijayawada	To speak to the facts about Surprise Check dated. 11-01-2021.
10.	Sri B.Srinivas, Dy. Supdt. of Police, ACB, Vijayawada Range, Vijayawada.	To speak to the facts about Surprise Check dated. 11-01-2021.
11.	Sri P. Sarath Babu, Dy. Supdt. of Police, ACB, Vijayawada Range, Vijayawada.	To speak to the facts about Surprise Check dated. 11-01-2021and submitting Surprise Check Report and DACs, etc., facts.

If any witness is found to be relevant will be produced during the enquiry.

B RAJSEKHAR
SPECIAL CHIEF SECRETARY TO GOVERNMENT

SECTION OFFICER